

**Consideration and Possible  
Action to Authorize the District  
to petition the TCEQ for Road  
Powers within the Defined Area**

PETITION FOR ROAD POWERS FOR A DEFINED AREA OF  
LUMBERTON MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS     §

COUNTY OF HARDIN     §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW Lumberton Municipal Utility District (the "District"), pursuant to the provisions of 30 T.A.C. §293.202, together with all amendments and additions thereto, and files and presents this Petition and requests the Texas Commission on Environmental Quality (the "Commission") to take such action thereon as authorized by law, and would respectfully show the following:

I.

The name of the District is "Lumberton Municipal Utility District." There is no other conservation or reclamation district in Hardin County, Texas with the same name. The District contains an area of approximately 38,000 acres of land, more or less, situated wholly within Hardin County, Texas. The Long Leaf Defined Area (the "Defined Area") contains an area of approximately 3,220 acres of land, more or less, situated wholly within Hardin County, Texas. The Defined Area is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

II.

The District and Defined Area were created and organized under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto. The District and Defined Area have the power to levy taxes pursuant to the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54 of the Texas Water Code.

III.

The District is located (i) partially outside the corporate boundaries and extraterritorial jurisdiction of any municipality, (ii) partially in the corporate limits of the City of Lumberton, (iii) partially within the extraterritorial jurisdiction of the City of Lumberton, and (iv) partially within the extraterritorial jurisdiction of the City of Beaumont.

IV.

Pursuant to 30 T.A.C. §293.202, a conservation and reclamation district, operating pursuant to Chapter 54, Texas Water Code, and which has the power to levy taxes may petition the Commission to acquire road powers for the Defined Area.

V.

The general nature of the work proposed to be done by the District in the Defined Area at the present time is to purchase, construct, acquire, provide, finance, issue bonds for, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, equipment, and appliances necessary or helpful to provide for a system of macadamized, graveled and paved roads and turnpikes; and to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional enterprises as shall be consonant with the purposes for which the Defined Area is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The Defined Area is in a developing area of Hardin County, Texas, and within the foreseeable future will experience a substantial and sustained residential and commercial growth. There is not now available within the Defined Area, which will be developed as residential subdivisions with some commercial development, a roadway system. Protecting the health and welfare of the present and future inhabitants of the area and of territories adjacent thereto requires the purchase, construction, acquisition, provision, financing, issuance of bonds for, operation, maintenance, repair, improvement, extension and development of an adequate roadway system. A public necessity therefore exists for the organization of the Defined Area with the District to provide for the purchase, construction, acquisition, provision, financing, issuance of bonds for, operation, maintenance, repair, improvement, extension and development of a roadway system.

VII.

The proposed improvements are feasible and practicable, and the terrain of the territory to be included within the Defined Area is such that a roadway system can be constructed and developed at a reasonable cost.

VIII.

The District has timely submitted an annual audit with the TCEQ.

IX.

WHEREFORE, the undersigned respectfully pray that this Petition be properly filed, as provided by law; that notice of the application be given as provided therein; that a hearing be held if necessary and that this Petition be in all things granted.

Respectfully submitted this 20th day of MAY, 2024.

PETITIONER:

LUMBERTON MUNICIPAL UTILITY  
DISTRICT, a political subdivision of the state of  
Texas



\_\_\_\_\_  
President, Board of Directors

ATTEST:



\_\_\_\_\_  
Secretary, Board of Directors

(DISTRICT SEAL)



EXHIBIT "A"  
DEFINED AREA PROPERTY DESCRIPTION

BEGINNING at a Concrete Monument stamped (H-731) marking the Southwest corner of the Edwardo Arriola League, Abstract No. 1, and being the southwest corner of the herein described tract.

Thence in a Northerly direction along and with the West line of said Edwardo Arriola League to a point in the North right of way of State Highway 421 and being the southwest corner of a called 148.701 acre tract as recorded in County Clerk's File No. 2012-29718 of the Official Public Records of Hardin County, Texas

Thence in an Easterly direction along and with the South line of said 148.701 acre tract and the North line of State Highway 421 to a point for the most southerly Southeast corner of said 148.701 acre tract.

Thence in a Northerly direction along and with the East line of said 148.701 acre tract to a point for an ell corner.

Thence Easterly to a point marking the most Easterly southeast corner of said 148.701 acre tract.

Thence Northerly along and with the Easterly line of said 148.701 acre tract to a point for angle.

Thence in a Northwesterly direction along and with the Northerly line of said 148.701 acre tract to a point in the West line of the Edwardo Arriola League, Abstract No. 1 for the Northwest corner of said 148.701 acre tract.

Thence in a Northerly direction along and with the West line of the Edwardo Arriola League to a concrete monument stamped (H-742) marking the Southwest corner of a called 100.21 acre tract as recorded in County Clerk's File No. 2011-22274 of the Official Public Records of Hardin County, Texas.

Thence in an Easterly direction along the South line of said 100.21 acre tract to a concrete monument stamped (H-748) marking the Southeast corner of said 100.21 acre tract.

Thence in a Northerly direction along and with the East line of said 100.21 acre tract to a concrete monument stamped (H-722) marking the northeast corner of the 100.21 acre tract and being in the North line of said Edwardo Arriola League.

Thence in an Easterly direction along and with the North line of said Edwardo Arriola League to a point for the northwest corner of that certain called 179.25 acre tract as recorded in Volume 473, Page 431 of the Deed Records of Hardin County, Texas.

Thence in a Southerly direction along and with the West line of said 179.25 acre tract to a point for corner in the North bank of Boggy Creek.

Thence in an Easterly and Southerly direction along and with the North bank of Boggy Creek to a point in the North right of way line of State Highway 421.

Thence in a Southwesterly direction along and with the North right of way line of State Highway 421 to a point for the southeast corner of that certain tract called 9.222 acre tract as recorded in volume 1806, Page 707 of the Official Public Records of Hardin County, Texas.

Thence Northerly along and with the East line of said 9.222 acre tract to a point for the northeast corner of said 9.222 acre tract and being the most Easterly southeast corner of that certain called 89.210 acre tract as recorded in Volume 926, Page 1742 of the Official Public Records of Hardin County, Texas and the Southerly corner of a 3.203 acre tract as recorded in Volume 1806, Page 707 of the Official Public Records of Hardin County, Texas.

Thence in a Northerly direction along and with the East line of said 3.203 acre tract to a point in the South bank of Boggy Creek.

Thence in a Northwesterly direction along and with the meanders of the South bank of Boggy Creek to a point in the Easterly line of said 89.210 acre tract.

Thence in a Northwesterly direction with the Easterly line of said 89.210 acre tract to a point for the Northeast corner of said 89.210 acre tract.

Thence in a Southwesterly direction along and with the Northwesterly line of said 89.210 acre tract to a point for the Northwesterly corner of said 89.210 acre tract and being the Northeasterly corner of a 27.72 acre tract as recorded in Volume 1811, Page 549 of the Official Public Records of Hardin County, Texas, and continuing in a Southwesterly direction along and with the North line of said 27.22 acre tract to a point for the Northwesterly corner of said 27.27 acre tract and being the Northeasterly corner of a 25.00 acre tract as recorded in County Clerk's File No. 2017-71201 of the Official Public Records of Hardin County, Texas and continuing along and with the Northwesterly line of said 25.00 acre tract to a point for the Northwest corner of said 25.00 acre tract.

Thence in a Southeasterly direction along and with the Westerly line of said 25.00 acre tract to a point for corner being the Southwest corner of said 25.00 acre tract and being in the North right of way line of State Highway 421 and continuing across said State Highway 421 to a point in the South right of way line of State Highway 421.

Thence in a Northeasterly direction along and with the South right of way line of State Highway 421 to a point for the Northwesterly corner of that certain tract called 42.00 acre tract as recorded in Volume 1789, Page 723 of the Deed Records of Hardin County, Texas.

Thence in a Northeasterly direction along and with the South right of way line of State Highway 421 and the North line of said 42.0 tract, same line being the North line of the Westerly 20 acres out of the said 42.0 acres as conveyed from Okun to Brampton Essential to a point for the Northeasterly corner of said 20.0 acre tract;

Thence in a Southeasterly direction along and with the Easterly line of said 20.0 acre tract from Okun to Brampton Essential to a point for the Southeast corner of said 20.0 acre tract and being in the south line of called 42.00 acre tract as recorded in Volume 1789, Page 723 of the Deed Records of Hardin County, Texas.

Thence in an Easterly direction along and with the Southerly line of said 42.00 acre tract to a point for the Southeast corner of said 42.00 acre tract and being in the West right of way line of Callahan Road, being a 60 foot wide right of way, and continuing across said Callahan Road to a point for the Southwest corner of that certain called 155.41 acre tract as recorded in Volume 1656, Page 228 of the Deed Records

of Hardin County, Texas and continuing along and with the southerly line of said 155.41 acre tract to a point in the East line of the Edwardo Arriola League.

Thence in a Southerly direction along and with the East line of said Edwardo Arriola League to a point for the Northeast corner of that certain called 204.37 acre tract as recorded in County Clerk's File No. 2012-31966 of the Official Public Records of Hardin County, Texas.

Thence in a Southwesterly direction along and with the North line of said 204.37 acre tract to a point in the East right of way of Temple Road, also known as Callahan Road, for the Northwest corner of said 204.37 acre tract and continuing across Temple Road to a point in the West right of way of said Temple Road.

Thence in a Southerly direction along and with the West right of way of Temple Road as per Gift Deed to Hardin County from Temple Eastex Inc. dated April 30, 1987 as recorded in Volume 845, Page 565 of the Deed Records of Hardin County, Texas, to a point in the South line of the Edwardo Arriola League for the most Southerly Southeast corner of the herein described tract.

Thence in a Westerly direction along and with the South line of the Edwardo Arriola League back to the Point of Beginning and containing 3220 acres of land, more or less.